

CITY OF MELFORT

**BYLAW NO. 2010-14**

**A BYLAW OF THE CITY OF MELFORT TO REGULATE  
LIVESTOCK IN THE CITY OF MELFORT**

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WHEREAS the City of Melfort is empowered by Sections 8(1)(k) of the Cities Act to regulate and control wild and domestic animals and activities in relation to them within the City of Melfort:

The Council of the City of Melfort, in the Province of Saskatchewan, in open assembly, enacts as follows:

**Short Title**

1. This Bylaw may be cited as ~~the~~ Livestock Bylaw.

**Definitions**

2. In this bylaw unless the context otherwise requires, the expression:
  - (a) ~~animal~~ shall mean any mammal, excluding humans, or any reptile or amphibian.
  - (b) ~~Council~~ shall mean the Council of the City of Melfort;
  - (c) ~~livestock~~ shall mean:
    - i) a horse, mule, ass, swine, emu, ostrich, camel, llama, alpaca, sheep or goat;
    - ii) domestically reared or kept deer, reindeer, moose, elk or bison;
    - iii) farm bred fur bearing animals, including fox and mink;
    - iv) animals of the bovine species;
    - v) a chicken, turkey, duck, goose, pigeon, quail, guinea or pheasant; and
    - vi) all other animals that are kept for agricultural purposes.

**Livestock**

3. Except where otherwise permitted under the provisions of this Bylaw, or under the provisions of the City of Melfort Zoning Bylaw, no person shall keep, maintain, graze or harbour livestock anywhere within the corporate limits of the City of Melfort.
4.
  - (a) Any person permitted to keep livestock under the provisions of this Bylaw, or under the provisions of the City of Melfort Zoning Bylaw, shall provide shelter, pens, corrals and other enclosures of a type and standard acceptable to Council and as outlined in Schedule ~~A~~q
  - (b) A person permitted to keep livestock under the provisions of this Bylaw, or under the provisions of the City of Melfort Zoning Bylaw shall keep the livestock in such a manner as not to create a nuisance.

5. This Bylaw shall not apply to persons keeping livestock:
- (a) on the premises of the Melfort exhibition grounds, leased by the Melfort Agricultural Society to carry on their usual functions which are temporary in nature and of approximately one week's duration, including 4-H activities. Schedule ~~A~~ does not apply to existing structures;
  - (b) on Surface Parcel 133743832, NW 06-45-18-W2, owned by Lorne and Gailmarie Anderson. Animals shall be permitted to be kept pastured on a year-round basis. Schedule ~~A~~ does not apply until such time as Mr. & Mrs. Anderson cease their mixed farming operation. This exemption is not transferrable to a new owner.
  - (c) on the premises of a Humane Society licensed by the City of Melfort;
  - (d) on the premises of any veterinary clinic;
  - (e) on the premises of any pet store licensed by the City of Melfort;
  - (f) on the premises of any abattoir and stock yard licensed by the City of Melfort.

### **Penalties**

15. (a) Every person who contravenes any of the provisions of this Bylaw, or fails to comply therewith, or with any notice or order given hereunder, shall be guilty of an offence and liable to the penalty as herein provided in Schedule ~~B~~ to this Bylaw.
- (b) Notwithstanding any of the provisions of this Bylaw to the contrary, where any person has committed or is alleged to have committed an offence under this Bylaw, a ticket in a form approved by the Council may be served upon such person, and if such person pays the penalty provided for the offence that he has committed or is alleged to have committed voluntarily to the City Office at any time within seventy-two (72) hours of the time of service of the ticket upon such person, such person shall not be liable to prosecution for the offence;
- (c) Service of such ticket may be made by prepaid registered mail, or by personal service, or by delivery to an adult person at the home of the person alleged to have committed the violation;
- (d) If the person served with such ticket fails to pay the specified penalty voluntarily within the time allowed following service of the ticket, then the provisions of this section shall no longer apply and the person shall be liable to prosecution for the offence in a court having a jurisdiction over summary conviction matters, providing that nothing in this section shall prevent any person served with such a ticket from exercising his right to defend himself against any of these particularized offences.

**Repeal of Previous Bylaws**

16. That Bylaw No. 77-14 is hereby repealed.

**INTRODUCED AND READ** a first time this 12<sup>th</sup> day of July, 2010.

**READ** a second time this this 12<sup>th</sup> day of July, 2010.

**READ** a third time and passed this this 12<sup>th</sup> day of July, 2010.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**SEAL**

CERTIFIED a true copy of Bylaw No. 2010-11 adopted by resolution of Council on the 12<sup>th</sup> day of July, 2010.

\_\_\_\_\_  
City Clerk

**SCHEDULE "A"**  
**To Bylaw No. 2010-14**

**Livestock**

1. Shelters or enclosures must be located at least fifty (50) metres from any dwelling other than the dwelling occupied by the person in charge of the livestock in question.
2. The area containing the livestock facilities is to be on land which is well drained. Surface drainage is to be diverted away from the established limits of the City.
3. Buildings are to be located on a cement foundation which extends at least eighteen (18) inches below the ground surface. The poured concrete floor is to be at least six (6) inches thick.
4. Buildings constructed are to be esthetically pleasing and finished with painted siding, stucco, masonry, brick or other material approved by the Building Official.
5. Feed grain, feed supplements, hay straw and other similar feed or bedding material is to be stored under cover.
6. Manure from all stables and pens is to be removed daily and so deposited as not to create a nuisance.
7. Corral fencing is to be of a design which is esthetically pleasant. The use of barbed wire is prohibited.

**SCHEDULE "B"**  
**To Bylaw No. 2010-14**

**Penalties**

Any person who contravenes any provision of this Bylaw is guilty of an offence and liable upon summary conviction to:

- (1) In the case of a first offence, a fine of Fifty (\$50.00) Dollars and in default of payment, to imprisonment for not more than Five (5) Days;
- (2) In the case of a second offence committed within twelve (12) months of the date of a first offence, a fine of One Hundred and Twenty-five (\$125.00) Dollars, and in default of payment, to imprisonment of not more than Ten (10) Days;
- (3) In the case of a third offence committed within twelve (12) months of the date of a first offence, a fine of Two Hundred and Fifty (\$250.00) Dollars, and in default of payment, to imprisonment of not more than Fifteen (15) Days;
- (4) In the case of a fourth and subsequent offence committed within twelve (12) months of the date of a first offence, is guilty of an offence and liable on summary conviction to a maximum fine of:
  - a) Ten Thousand Dollars (\$10,000.00) in the case of an individual; or
  - b) Twenty-Five Thousand Dollars (\$25,000.00) in the case of a corporation.